United Nations S/AC.47/2010/1

Security Council

Distr.: General
12 March 2010

Original: English

Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan

Note verbale dated 18 November 2009 from the United States Mission to the United Nations addressed to the Committee

The United States Mission to the United Nations presents its compliments to the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan, and has the honour to enclose the United States report on the implementation of the sanctions imposed by Security Council resolutions 1591 (2005) and 1556 (2004) (see annex).

10-27097 (E) 160310

Please recycle

Annex to the note verbale dated 18 November 2009 from the United States Mission to the United Nations addressed to the Committee

United States report on the implementation of sanctions imposed by Security Council resolutions 1591 (2005) and 1556 (2004)

Travel ban

Under the applicable provisions of the Immigration and Nationality Act, the United States takes the necessary measures to prevent the entry into or transit through the territories of the United States of individuals designated by the Committee established pursuant to resolution 1591 (2005) concerning the Sudan (herein "the Committee"), provided that the individuals are not nationals of the United States. Travel exemptions will be granted if the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation, or if it will further the objectives for the creation of peace and stability in the Sudan and the region, or if the United States is obliged to permit the travel due to the United Nations Headquarters Agreement.

Asset freeze

The United States takes the necessary measures to freeze without delay the funds, other financial assets and economic resources which are within the jurisdiction of the United States, which are owned or controlled, directly or indirectly, by the individuals or entities designated by the Committee, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, as designated by the Committee. Additionally, the United States ensures that any funds, financial assets or economic resources are not made available to or for the benefit of designated individuals and entities by United States nationals or by any individuals or entities within the territory of the United States. The United States may authorize the release of frozen assets in certain compelling circumstances.

The United States implements the asset freeze pursuant to Presidential authorities under the Constitution and the laws of the United States of America, including the International Emergency Economic Powers act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), section 5 of the United Nations Participation Act, as amended (22 U.S.C. 287c), and section 301 of title 3, United States Code.

Arms embargo

The United States complies with the arms embargo on Darfur imposed by resolution 1556 (2004) and expanded by resolution 1591 (2005). The United States export controls are implemented through the Arms Export Control Act and the International Traffic in Arms Regulations. The United States munitions export control system is designed to deny adversaries and parties whose interests are inimical to those of the United States access to United States-origin defense equipment and technology. This function is administered by the Directorate of Defense Trade Controls, United States Department of State. The export control

process is closely regulated and excludes the participation of embargoed and other ineligible parties in United States defense trade.

The United States takes the necessary measures to prevent the direct or indirect supply, sale or transfer of weapons and military equipment and the direct supply of technical assistance or training, financial and other assistance including investment, brokering or other financial services, related to military activities or to the supply, sale, transfer, manufacture, maintenance or use of weapons and military equipment to the individuals and entities operating in Darfur. The United States requires all United States persons that manufacture or export defense articles, furnish defense services, or United States and foreign persons engaged in arms brokering to register with the Department of State. The Department of State must approve a license application prior to the export of defense articles or defense services. A review of all parties to the proposed transactions, including end-users, is made against a "Watch List," which includes individuals and entities designated by the United Nations sanctions committees. Pursuant to the United States Arms Export Control Act, arms export control violations, including provision of defense equipment and technology to ineligible persons and associate persons are subject to strict criminal and civil penalties. Criminal penalties may include a jail sentence of 10 years and/or $1 million for each violation. Possible civil penalties include debarment from participation in United States defense trade and monetary penalties up to $500,000 per violation.